# No. 97

# **MICHIGAN SENATE**

# DAILY CALENDAR

THURSDAY, NOVEMBER 13, 2003 10:00 a.m.

MESSAGES FROM THE GOVERNOR		MESSAGES FROM THE GOVERNOR			
SB	195 Sen. Toy Local government; public services; certain city managed water and sewer systems; provide for regionalization of. Creates new act. Vetoed by Governor, Friday, March 21. For text of veto message, see Senate Journal No. 30, page 341. Veto pending.	SB	540 Sen. Johnson Appropriations; supplemental; supplemental appropriations; provide for. Creates new act & repeals sec. 308 of 2003 PA 161. Approved by Governor, with line items vetoed, Tuesday, August 12. For text of veto message, see Senate Journal No. 72, page 1614. Vetoed line items pending.		
SB	School aid; penalties; requirement of 180 days of pupil instruction and penalty for holding less than that number; eliminate and replace with minimum hours of instruction, and require certain procedures to change to 4-day school week.  Amends sec. 101 of 1979 PA 94 (MCL 388.1701).  Vetoed by Governor, Monday, June 30.  For text of veto message, see Senate Journal No. 65, page 1110.  Veto pending.	SB	283 Sen. Johnson Appropriations; other; family independence agency; provide for fiscal year 2003-2004. Creates new act & repeals sec. 413 of 2002 PA 529. Approved by Governor with line items vetoed, Tuesday, August 12. For text of veto message, see Senate Journal No. 72, page 1615. Vetoed line items pending.		
SB	293 Sen. Bishop Law enforcement; other; public safety commissions; allow use of state radio towers by local units of government. Amends sec. 3 of 1929 PA 152 (MCL 28.283). Vetoed by Governor, Friday, July 11. For text of veto message, see Senate Journal No. 68, page 1222. Veto pending.	SB	464 Sen. Allen Transportation; funds; Mackinac bridge authority; amend to provide toll rate cap. Amends sec. 2 of 1952 PA 214 (MCL 254.312). Vetoed by Governor, Monday, August 25. For text of veto message, see Senate Journal No. 72, page 1616. Veto pending.		
SB	265 Sen. Johnson Appropriations; zero budget; department of transportation; provide for fiscal year 2003-2004. Approved by Governor with line items vetoed, Tuesday, August 12. For text of veto message, see Senate Journal No. 71, page 1587. Vetoed line items pending.	SB	466 Sen. Barcia Transportation; motor fuel tax; advancements to Mackinac bridge authority; amend. Amends sec. 163 of 2000 PA 403 (MCL 207.1163). Vetoed by Governor, Monday, August 25. For text of veto message, see Senate Journal No. 72, page 1616. Veto pending.		
SB	288 Sen. Johnson Appropriations; zero budget; department of agriculture; provide for fiscal year 2003-2004. Approved by Governor with line items vetoed, Thursday, August 7. For text of veto message, see Senate Journal No. 71.	SB	395 Sen. McManus Health; abortion; definition of legal birth; clarify. Creates new act. Vetoed by Governor, Friday, October 10. For text of veto message, see Senate Journal No. 84.		

page 1835.

Veto pending.

Vetoed line items pending.

#### MESSAGES FROM THE HOUSE

— 11 ———

SB 352 Sen. Thomas

Holidays; Cesar Chavez day; establish as March 31. Creates new act.

I.E. House, October 30, 2003.

Returned from House with House substitute (H-4), Tuesday, November 4; laid over under the rules.

Committee recommended I.E.

#### THIRD READING OF BILLS

\_\_\_\_\_ 12 \_\_\_\_\_

#### SB 785 Sen. Patterson

Vehicles; license plates; procedures to establish and issue fund-raising plates; revise.

Amends secs. 217d, 801, 811d, 811e, 811f, 811g, 811h, 811i, 811j, 811k, 811l & 811n of 1949 PA 300 (MCL 257.217d et seq.); adds secs. 811m, 811o & 811p & repeals secs. 217m, 217n & 811c of 1949 PA 300 (MCL 257.217m et seg.) & repeals enacting section 1 of 2000 PA 77.

Reported by Committee on Transportation.

Senate substitute (S-2).

For Senate amendment, see Senate Journal No. 96, page 2036.

Committee recommended I.E.

\_\_\_\_ 13 \_\_\_\_\_

# **HB 4666** Rep. Ward

Land use; planning; planned unit developments; specify that open space area need not be contiguous.

Amends sec. 4b of 1921 PA 207 (MCL 125.584b).

I.E. House, October 22, 2003.

House substitute (H-1).

Reported by Committee on Natural Resources and **Environmental Affairs.** 

Committee recommended I.E.

\_\_\_\_ 14 \_\_\_\_\_

#### **4667** Rep. Ward HB

Land use; planning; planned unit developments; specify that open space area need not be contiguous.

Amends sec. 16c of 1943 PA 184 (MCL 125.286c).

I.E. House, October 22, 2003.

House substitute (H-1).

Reported by Committee on Natural Resources and **Environmental Affairs.** 

Committee recommended I.E.

\_\_\_\_ 15 \_\_\_\_

# HB 4668 Rep. Ward

Land use; planning; planned unit developments; specify that open space area need not be contiguous.

Amends sec. 16c of 1943 PA 183 (MCL 125.216c).

I.E. House, October 22, 2003.

House substitute (H-1).

Reported by Committee on Natural Resources and **Environmental Affairs.** 

Committee recommended I.E.

#### THIRD READING OF BILLS

#### HB 5027 Rep. Pastor

Vehicles; snowmobiles; recreational snowmobile trail improvement fund; revise certain allocations.

Amends secs. 82106, 82109, 82210 & 82118 of 1994 PA 451 (MCL 324.82106 et seq.).

I.E. House, October 21, 2003.

House substitute (H-2).

Reported by Committee on Natural Resources and **Environmental Affairs.** 

Committee recommended I.E.

#### **GENERAL ORDERS**

\_\_\_\_ 17 \_\_\_\_\_

# HB 4454 Rep. Hoogendyk

Economic development; Michigan economic growth authority; benefits for eligible pharmaceutical companies; provide for.

Amends secs. 3, 4 & 8 of 1995 PA 24 (MCL 207.803 et seq.).

I.E. House, May 14, 2003.

Reported by Committee on Commerce and Labor.

Committee recommended I.E.

\_\_\_\_\_ 18 —

# **HB** 4472 Rep. Lipsey

Property tax; exemptions; new personal property of certain pharmaceutical companies; provide for exemption under certain circumstances.

Amends sec. 9f of 1893 PA 206 (MCL 211.9f).

I.E. House, May 14, 2003.

Reported by Committee on Commerce and Labor.

Committee recommended I.E.

\_\_\_\_\_\_ 19 \_\_\_\_\_

# SB 193 Sen. Patterson

Vehicles; license plates; specialty plates for ducks unlimited; provide for.

Amends sec. 811e of 1949 PA 300 (MCL 257.811e); adds sec. 8110 & repeals sec. 8110 of 1949 PA 300 (MCL

Reported by Committee on Local, Urban and State Affairs.

Senate substitute (S-1).

Committee recommended I.E.

\_\_\_\_\_ 20 \_\_\_\_

#### 4804 Rep. Shulman HB

State; funds; budget stabilization fund expenditures; modify.

Amends secs. 353c, 353e & 358 of 1984 PA 431 (MCL 18.1353c et sea.).

I.E. House, June 19, 2003.

For House amendment, see House Journal No. 54,

Reported by Committee on Appropriations.

Senate substitute (S-2).

Committee recommended I.E.

### **GENERAL ORDERS**

— 21 ——

#### SB 601 Sen. Switalski

Cities; home rule; property maintenance codes and international codes; allow adoption by reference.

Amends sec. 3 of 1909 PA 279 (MCL 117.3).

Reported by Committee on Local, Urban and State Affairs.

Senate substitute (S-1).

Committee recommended I.E.

22

### SB 158 Sen. Patterson

Civil procedure; costs and fees; statutory attorney fees in landlord-tenant eviction and land contract forfeiture actions; revise.

Amends sec. 5759 of 1961 PA 236 (MCL 600.5759).

Reported by Committee on Judiciary.

For Senate amendment, see Senate Journal No. 80, page 1742.

Committee recommended I.E.

\_\_\_\_ 23 \_\_\_\_\_

#### SB 479 Sen. Basham

Transportation; school vehicles; local school district authority to determine location and number of school bus stops within a manufactured housing park; allow.

Amends sec. 9 of 1990 PA 187 (MCL 257.1809).

Reported by Committee on Education.

Committee recommended I.E.

\_\_\_\_ 24 \_\_\_\_\_

# HJR G Rep. Garfield

State; employees and officers; hiring for civil service position; provide preferential treatment to veterans.

Amends sec. 5, art. XI of the state constitution.

House substitute (H-1).

Reported by Committee on Senior Citizens and Veterans Affairs.

\_\_\_\_ 25 \_\_\_\_\_

# **HB 4284** Rep. Kolb

Land use; planning; joint planning commission; provide for.

Creates new act.

I.E. House, July 17, 2003.

House substitute (H-2).

Reported by Committee on Natural Resources and Environmental Affairs.

Committee recommended I.E.

<del>\_\_\_\_ 26 \_\_\_\_\_</del>

# SB 774 Sen. Bernero

Economic development; local development financing; certified technology parks; revise deadline for designation. Amends sec. 21a of 1986 PA 281 (MCL 125.2162a).

Reported by Committee on Economic Development, Small Business and Regulatory Reform.

Committee recommended I.E.

#### **GENERAL ORDERS**

— 27 ———

# SB 781 Sen. Thomas

Taxation; tobacco; amendments to the model master settlement agreement legislation; provide for.

Amends sec. 2 of 1999 PA 244 (MCL 445.2052).

Reported by Committee on Finance.

Committee recommended I.E.

——— 28 —

# SB 296 Sen. Gilbert

Insurance; health; direct reimbursement to provider of medical transportation services; provide for.

Amends 1956 PA 218 (MCL 500.100 - 500.8302) by adding sec. 3406*l*.

Reported by Committee on Health Policy.

Senate substitute (S-3).

Committee recommended I.E.

\_\_\_\_\_ 29 \_\_\_\_\_\_

#### SB 297 Sen. Gilbert

Insurance; health care corporations; direct reimbursement to provider of medical transportation services; provide for.

Amends 1980 PA 350 (MCL 550.1101 - 550.1704) by adding sec. 418a.

Reported by Committee on Health Policy.

Senate substitute (S-2).

Committee recommended I.E.

\_\_\_\_ 30 \_\_\_\_\_

# SB 307 Sen. Cassis

Education; other; parent involvement plan; create.

Amends 1976 PA 451 (MCL 380.1 - 380.1852) by adding sec. 1294.

Reported by Committee on Education.

Senate substitute (S-2).

Committee recommended I.E.

#### RESOLUTIONS

3

# SR 141 Sen. Brater

A resolution to memorialize the Congress of the United States to enact Great Lakes environmental restoration legislation.

Reported by Committee on Natural Resources and Environmental Affairs.

For text of resolution, see Senate Journal No. 72, page 1617

Adoption pending.

\_\_\_\_ 32 \_\_\_\_

# SR 175 Sen. Barcia

A resolution urging United States trade negotiators to support our nation's sugar industry.

Reported by Committee on Agriculture, Forestry and Tourism.

For text of resolution, see Senate Journal No. 86, page 1866.

Adoption pending.

### RESOLUTIONS

— 33 ——

#### **SR** 139 Sen. Hardiman

A resolution to express support for the creation of the Office of Faith-Based Initiative in the state of Michigan.

Reported by Committee on Families and Human Services.

For text of resolution, see Senate Journal No. 71, page 1597.

Adoption pending.

\_\_\_ 34 \_\_\_\_\_

#### SR 189 Sen. Hardiman

A resolution to memorialize the Congress of the United States to take necessary actions, through the International Monetary Fund or otherwise, to ensure that foreign nations that trade with the United States do so fairly and do not manipulate their currency.

Reported by Committee on Commerce and Labor. For text of resolution, see Senate Journal No. 92, page 969

Adoption pending.

<del>\_\_\_ 35 \_\_\_\_\_</del>

# **SR 190** Sen. Van Woerkom

A resolution to memorialize the Congress of the United States to develop economic incentives and other programs to aid in the recovery and stabilization of the manufacturing industry in the United States.

Reported by Committee on Commerce and Labor.

For text of resolution, see Senate Journal No. 92, page 1969.

Adoption pending.

- 36 -----

# SR 133 Sen. Van Woerkom

A resolution to encourage the judicious use of antibiotics.

Reported by Committee on Health Policy.

Reported with amendment.

For text of resolution, see Senate Journal No. 69, page 1297.

Adoption pending.

\_\_\_\_ 37 \_\_\_\_\_

# SR 194 Sen. Kuipers

A resolution to urge the Michigan Education Alliance to study the issue of replacing the MEAP test with an alternative.

Reported by Committee on Education.

For text of resolution, see Senate Journal No. 95, page 2019.

Adoption pending.

#### **COMMITTEE REPORTS**

\_\_\_\_ 38 \_\_\_\_\_

# SR 170 Sen. Brown

A resolution honoring the Village of Constantine.

Reported by Committee on Agriculture, Forestry and Tourism.

For text of resolution, see Senate Journal No. 83, page 1820.

Refer to Resolutions pursuant to Rule 3.106.

#### **COMMITTEE REPORTS**

<del>\_\_\_\_ 39 \_\_\_\_\_</del>

#### **SR** 188 Sen. Gilbert

A resolution to memorialize the Congress of the United States to expand its efforts through the World Trade Organization and the World Intellectual Property Organization to ensure that the intellectual property of domestic businesses and individuals is protected.

Reported by Committee on Commerce and Labor.

For text of resolution, see Senate Journal No. 92, page 1968.

Refer to Resolutions pursuant to Rule 3.106.

\_\_\_\_ 40 \_\_\_\_\_

# SB 808 Sen. Olshove

Education; other; college career nights at local school districts; allow skilled trades associations to participate.

Amends 1976 PA 451 (MCL 380.1 - 380.1852) by adding sec. 1140.

Reported by Committee on Commerce and Labor.

Senate substitute (S-1).

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

# SB 809 Sen. Kuipers

Economic development; other; broadband development authority infrastructure grants for tool and die industry; provide for.

Amends sec. 7 of 2002 PA 49 (MCL 484.3207).

Reported by Committee on Commerce and Labor.

Senate substitute (S-1).

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

\_\_\_\_\_ 42 \_\_\_\_\_

#### SB 814 Sen. Toy

Single business tax; credit; apprenticeship training credit for certain companies; increase.

Amends sec. 38e of 1975 PA 228 (MCL 208.38e).

Reported by Committee on Commerce and Labor.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

\_\_\_\_ 43 \_\_\_\_

# SB 825 Sen. Allen

Economic development; renaissance zones; tool and die recovery zone; establish.

Amends sec. 8 of 1996 PA 376 (MCL 125.2688) & adds sec. 8d.

Reported by Committee on Commerce and Labor. Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule

3.701.

#### **COMMITTEE REPORTS**

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### (Eligible for passage Monday, November 17.)

SB 840 Sen. Stamas

Economic development; other; small business czar; create.

Creates new act.

Reported by Committee on Economic Development, Small Business and Regulatory Reform.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

**—** 45 **—** 

# (Eligible for passage Monday, November 17.)

SB 841 Sen. Kuipers

Economic development; other; manufacturing czar; create.

Creates new act.

Reported by Committee on Economic Development, Small Business and Regulatory Reform.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

#### SCHEDULED MEETINGS

# **Appropriations -**

#### **Subcommittee -**

**Natural Resources Department -** Thursday, December 4, 12:00 noon, Senate Appropriations Room, 3rd Floor, Capitol Building (373-1725)

**Commerce and Labor -** Thursday, November 13, 9:00 a.m., Room 100, Farnum Building (373-2413)

**Natural Resources and Environmental Affairs -** Thursday, November 13, 8:00 a.m., Room 110, Farnum Building (373-3447)

#### BILLS IN CONFERENCE

		Confe	Report Agreed To		
Bill No.	Brief Title	Senate	House	Senate	House
SB 252	Environmental protection; water pollution;	McManus	Koetje		
	annual wastewater discharge environmental	Birkholz	Howell		
	fee; provide for.	Brater	Tobocman		
SB 560	Environmental protection; groundwater	McManus	Koetje		
	contamination; groundwater discharge permit	Birkholz	Howell		
	fees; enact.	Brater	Tobocman		